

Apr 08, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SYLVIA H.,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:18-CV-3142-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 17. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Franco L. Becia represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No.7. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 17**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) will hold a *de novo* hearing, further develop the record as necessary, and issue a new decision. The ALJ shall: (1) reevaluate and further develop the medical evidence or record; (2) reevaluate steps two and three of the sequential evaluation process; (3) reevaluate Plaintiff's

1 credibility; (4) reevaluate Plaintiff's residual functional capacity pursuant to SSR
2 96-8p; and (5) reevaluate steps four and five of the sequential evaluation process
3 with the assistance of a vocational expert, as necessary. Plaintiff may present
4 additional testimony and submit additional evidence.

5 2. **Judgment shall be entered for PLAINTIFF.**

6 3. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is
7 **STRICKEN AS MOOT.**

8 4. An application for attorney fees and costs may be filed by separate
9 motion.

10 The District Court Executive is directed to enter this Order, forward copies
11 to counsel, and **CLOSE THE FILE.**

12 DATED April 8, 2019.

A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE